

<b>Response to Missing Requirements Under 35 USC § 371</b>	Attorney Docket No.: ERP02.001APC1 First Named Inventor: Brownlie et al. Int'l Application No.: PCT/GB04/02865 US Application No.: 10/563,199 Entered National Phase: January 3, 2006 Title: VACCINE COMPOSITION FOR VACCINATING DOGS AGAINST CANINE INFECTIOUS RESPIRATORY DISEASE (CIRD)
<b>Direct all correspondence to Customer No.: 20995</b> <span style="float: right;">Date: September 1, 2006 Page 1 of 2</span>	

**Mail Stop PCT**  
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I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service via Express mail No. EV915029518US in an envelope addressed to: Mail Stop: PCT, United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

September 1, 2006

(Date)

Marina L. Gordey, Reg. No. 52,950

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated April 5, 2006.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 4 pages.
- (X) Power of attorney form and copy of assignment in 5 pages.
- (X) Sequence Submission Statement.
- (X) Paper copy of Sequence Listing in 3 pages.
- (X) Sequence Listing in CRF.
- (X) Preliminary amendment in 3 pages with Abstract in 1 page.
- (X) Return prepaid postcard.

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: ERP02.001APC1  
First Named Inventor: Brownlie et al.  
Int'l Application No.: PCT/GB04/02865  
US Application No.: 10/563,199  
Entered National Phase: January 3, 2006  
Title: VACCINE COMPOSITION FOR VACCINATING DOGS  
AGAINST CANINE INFECTIOUS RESPIRATORY  
DISEASE (CIRD)

**Direct all correspondence to Customer No.: 20995**

Date: September 1, 2006

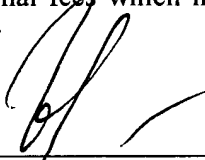
Page 2 of 2

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	46 - 20 = 26	1615 (\$50)	26 x 50 =	\$1,300
Excess Ind. Claims	13 - 3 = 10	1614 (\$200)	10 x 200 =	\$2,000
Search Fee	37 CFR §1.492 (b) (3)	1642 (\$400)		\$400
Examination Fee	37 CFR §1.492 (c) (2)	1633 (\$200)		\$200
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$0
3 Month Extension	37 CFR § 1.17(a)(3)	1253 (\$1,020)		\$1,020
			<b>SUB TOTAL</b>	<b>\$5,050</b>
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$5,050</b>

(X) A check in the amount of **\$5,050** is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

  
Marina L. Gordey  
Registration No. 52,950  
Agent of Record  
Customer No. 20,995  
(805) 547-5580

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083006

09/06/2006 GFREY1 00000156 10563199

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## UNITED STATES PATENT AND TRADEMARK OFFICE

ERP02.001APC

MRB-MX6

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,199	John Brownlie	ERP02.001APC

INTERNATIONAL APPLICATION NO.
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PCT/GB04/02865

I.A. FILING DATE	PRIORITY DATE
07/01/2004	07/01/2003

20995

KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

CONFIRMATION NO. 6472

371 FORMALITIES LETTER



\*OC000000018458216\*

Date Mailed: 04/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/03/2006
- Copy of the International Search Report filed on 01/03/2006
- Preliminary Amendments filed on 01/03/2006
- U.S. Basic National Fees filed on 01/03/2006
- Priority Documents filed on 01/03/2006
- Specification filed on 01/03/2006
- Claims filed on 01/03/2006
- Abstracts filed on 01/03/2006
- Drawings filed on 01/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$3300 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$4030** for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 3300**
  - **\$2000** for **10** independent claims over 3.
  - **\$1300** for **26** total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,199	PCT/GB04/02865	ERP02.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)